

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION**

JENNIFER ELISABETH GRIFFIN

CASE NO. 25-cv-589

-vs-

JUDGE DRELL

KEVIN LAVESPERE ET AL

MAGISTRATE JUDGE PEREZ-MONTES

JUDGMENT

Before the court is *pro se* petitioner Jennifer Elisabeth Griffin's civil rights complaint brought pursuant to 42 U.S.C. § 1983 against defendants Kevin Lavespere and the Grant Parish Sheriff's Office. Griffin alleges that the defendants violated her civil rights by "[f]alse arrest/theft/intimidation June 16, 2021 Pineville, La."

Rule 12(h)(3) states that "[i]f the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action." In cases brought pursuant to Section 1983, federal courts look to state statutes of limitations to determine the applicable limitations periods. Burge v. Parish of St. Tammany, 996 F.2d 786, 788 (5th Cir. 1993) (citations omitted). Louisiana's one-year prescriptive period applies to this case.¹ "Although the expiration of a statute of limitations (or prescription in Louisiana parlance) is an affirmative defense, a district court is authorized to dismiss a case upon the motion of a litigant or *sua sponte* when it is clear from the face of the complaint that the claims asserted are barred by the applicable statute of limitations." Jackson v. Standard Mtg. Corp., 2019 WL 6769361 at *6 (W.D. La. Dec. 11, 2019).

¹ Louisiana adopted a two-year statute of limitations which applies to incidents occurring on or after July 1, 2024. The two-year prescriptive period is not applicable here as the alleged incident occurred in June 2021.

As it is clear from the face of the complaint that the alleged civil rights violation occurred nearly four years ago, the matter is time barred and the court lacks jurisdiction to hear and determine the merits of the claim. Accordingly, it is

ORDERED, ADJUDGED, and DECREED that this matter is DISMISSED WITH PREJUDICE.

THUS DONE AND SIGNED at Alexandria, Louisiana this 6th day of May 2025.

A handwritten signature in black ink, appearing to read "Dee D. Drell", is written over a horizontal line.

DEE D. DRELL, SENIOR JUDGE
UNITED STATES DISTRICT COURT